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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,076	01/21/2004	Michael W. Harris	NOR / 1084A	4648
37172 7590 05/19/2008 WOOD, HERRON & EVANS, LLP (NORDSON) 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202				
EXAMINER LAMB, BRENDA A				
ART UNIT		PAPER NUMBER		
1792				
NOTIFICATION DATE		DELIVERY MODE		
05/19/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

krooney@whepatent.com  
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usptodock@whepatent.com

### Office Action Summary

**Application No.**

10/762,076

**Applicant(s)**

HARRIS ET AL.

**Examiner**

Brenda A. Lamb

**Art Unit**

1792

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4-6, 8, 11-13 and 22-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 4-6 and 22 is/are allowed.
- 6) ☒ Claim(s) 8 and 11 is/are rejected.
- 7) ☒ Claim(s) 12, 13 and 23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 5/30/2006
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwok 6,077,375 in view of Allen et al and Welch et al.

Kwok teaches the design of an apparatus for dispensing a liquid filament onto a moving strand which is comprised of the following elements: a nozzle assembly having a liquid discharge outlet for dispensing a filament onto a strand. Kwok fails to teach the nozzle assembly is in fluid communication with a liquid supply passage of a module. However, it would have been obvious to modify the Kwok apparatus by mounting the nozzle assembly on a module or unit having a liquid supply passage and air supply passage such that its liquid supply passage is in fluid communication with the liquid discharge outlet of the nozzle assembly since it is known in the art such as taught by

Art Unit: 1792

Allen et al for dispensing adhesive filaments on a substrate to place the liquid discharge outlet of the nozzle assembly in fluid communication with liquid supply passage of a module for the taught advantage of enabling one to mount heating elements in the module which provides temperature control of the polymer filament extruded from liquid discharge outlet. Kwok fails to teach that the apparatus includes an air outlet which is oriented to discharge air on the filament without influencing the dispensing of the filaments from liquid discharge outlet. However, Benson et al teaches an apparatus for treating a moving strand which is comprised of a means for discharging air on the filament to clean the strand (element 16) prior to using an applicator roller 62 to apply a coating/sizing material to the moving strand. Therefore, it would have been obvious given the modifications of the Kwok apparatus as discussed above to provide an air outlet such as taught by Benson et al since Benson et al teaches doing so to clean the strands, such as multifilament strands which are known to be used in fabrics for manufacture of hygienic articles, prior to applying coating/sizing material to the moving strand using an applicator. Further, it would have been obvious given the modifications of the Kwok apparatus as discussed above to provide an air outlet such as taught by Benson et al in communication with the air supply passage of the module of Allen et al for the obvious advantage of increases the compactness of the apparatus. Finally, it would have been obvious given the modifications of the Kwok apparatus as discussed above to provide orient the air outlet in fluid communication with the air supply passage such that it is directed away from the liquid treatment section so as not to influence the dispensing or coating of the filament downstream from the air outlet since Benson et al

Art Unit: 1792

teaches at column 2 lines 5-12 moving the contaminants from the strand to a remote location and further shows directing air away from the area of liquid treatment of the strand. Thus claim 8 is obvious over the above cited references. With respect to claim 11, it would have been prima facie obvious to mount Benson's air outlet on the upstream surface of the Kwok nozzle assembly for the obvious advantage of increasing the compactness of the apparatus and stability of the air outlet.

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Attached is a copy if the PTOL-1449 of 5/30/2006 and a note at the bottom of each page that all references have been considered and therefore includes US Patent No. 6,911,232.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Welch et al teaches the use of multifilament strands in the manufacture of hygienic articles.

Claims 12-13 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 4-6 and 22 are allowed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda A. Lamb whose telephone number is (571) 272-1231. The examiner can normally be reached on Monday-Tuesday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton, can be reached on (571) 272-1231. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 1792

Brenda A Lamb  
Primary Examiner  
Art Unit 1792

/Brenda A Lamb/

Primary Examiner, Art Unit 1792